

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

BRIAN RUSSELL LOCKE,
Petitioner,

v.

Case No. 11-CV-00364

MICHAEL BAENAN, Warden,
Green Bay Correctional Institution,
Respondent.

DECISION AND ORDER

Petitioner Brian Locke filed this petition pursuant to 28 U.S.C. § 2254 asserting that his state court conviction and sentence were imposed in violation of the Constitution. He has multiple convictions, but he is challenging only his 2005 conviction for assault by a prisoner under Wis. Stat. § 946.43(1m)(a). He was convicted in the Dodge County Circuit Court after he entered an *Alford* plea and sentenced to five years imprisonment to be followed by five years extended supervision. See *N.C. v. Alford*, 400 U.S. 25, 37–38 (1970). He is currently incarcerated at Green Bay Correctional Institution. Before me now are several motions filed by petitioner.

First, I will grant petitioner's motion to correct or amend the various documents he has filed with this court. Second, I will deny as moot petitioner's motion for an order requiring respondent to allow him to file documents in support of his petition. Petitioner has successfully filed a brief in support of his petition, a reply brief, and several lengthy supplements to those briefs. Thus, he does not appear to have any problem accessing the court. Finally, I will deny as moot petitioner's motion for an order requiring respondent to

send him the brief in opposition to the petition. Petitioner has already received a copy of this document and responded to it.

THEREFORE, IT IS ORDERED that petitioner's motion to correct the page numbers in his brief in support of the petition [DOCKET #26] is **GRANTED**.

IT IS FURTHER ORDERED that petitioner's motion to amend/correct the index to his brief in support of the petition [DOCKET #32] is **GRANTED**.

IT IS FURTHER ORDERED that petitioner's motion to add an exhibit to his evidentiary hearing request [DOCKET #45] is **GRANTED**.

IT IS FURTHER ORDERED that petitioner's motion for the court to take judicial notice of documents filed in Locke v. Bissonnette, Case No. 07-CV-00089 (W.D. Wis.) [DOCKET #47] is **GRANTED**.

IT IS FURTHER ORDERED that petitioner's motion to expedite the motion for document copies from the United States District Court for the Western District of Wisconsin [DOCKET #48] is **DENIED AS MOOT**.

IT IS FURTHER ORDERED that petitioner's motions to add documents to support his petition [DOCKET #49, 56] are **GRANTED**.

IT IS FURTHER ORDERED that petitioner's motion to order defendant to allow petitioner to file documents related to this petition [DOCKET #35] is **DENIED AS MOOT**.

IT IS FURTHER ORDERED that petitioner's motion to compel respondent to mail a copy of his response to petitioner [DOCKET #41] is **DENIED AS MOOT**.

Dated at Milwaukee, Wisconsin, this 24th day of September 2012.

s/ Lynn Adelman

LYNN ADELMAN
District Judge